

SUPERIOR COURT OF THE STATE OF WASHINGTON  
KITSAP COUNTY

CITY OF BREMERTON,

Plaintiff,

v.

NATACHA SESKO,

Defendant.

No. 07-2-01698-0

PLAINTIFF'S FIRST  
INTERROGATORIES AND  
REQUESTS FOR PRODUCTION  
TO DEFENDANT  
AND ANSWERS, RESPONSES,  
AND OBJECTIONS THERETO

TO: Defendant Natacha Sesko;

AND TO: Alan Middleton, her attorney;

Plaintiff City of Bremerton, by and through its attorneys, in accordance with Civil Rules 33 and 34, requests that the above-referenced plaintiff answer and respond to the following Interrogatories and Requests for Production. Defendant must answer fully, under oath, and in writing within thirty (30) days of the date of service.

In answering interrogatories, you must furnish all information available to you. Answers must contain the source of the information or record relied upon therein. These interrogatories are continuing in nature, and you are required to supplement answers as new information becomes available to you.

Each request for production requires that the identified document or other item be produced by you if it is in the possession, custody or control of either you or your attorneys, agents, assigns or any other representative. Documents and other items requested for production

1 shall be produced for inspection and copying at the offices of Plaintiff's attorneys at 345 6th  
2 Street, Suite 600, Bremerton, Washington, on the 30th day after service.

3 As used herein:

4 1. "You" and "Your" mean the person to whom the herein interrogatories and  
5 requests for production have been propounded and includes all information possessed or  
6 obtained by you or your attorneys, experts, employees, investigators, insurance carrier or anyone  
7 acting on your behalf or their behalf.

8 2. "Identify", with respect to witnesses, persons or entities means to provide each  
9 witness'/person's/entity's full legal name, all known alias's, nicknames and a/k/a's, home and  
10 work addresses and telephone numbers, and the witness'/person's/entity's relationship to you.

11 3. "Document" and "documents" mean all "writings," "photographs" and  
12 "recordings" as defined by the Federal Rules of Evidence Rules 1001(1) and (2) and Washington  
13 Evidence Rules 1001(a) and (b), including, but not limited to, the original and any copy –  
14 regardless of origin or location – of any book, pamphlet, periodical, letter, memorandum,  
15 telegram report, record, study, handwritten note, map, drawing, working paper, chart, paper,  
16 graph, index, tape, videotape, data sheet or data processing card, computer data, or any other  
17 written, recorded, transcribed, punched, taped, filmed, photographic or graphic matter, however  
18 produced or reproduced, to which you have or have had access.

19 4. "Person" and "persons" mean and include any natural person, firm association,  
20 partnership, joint venture, corporation, estate, trust, receiver, syndicate, municipal corporation,  
21 and any other form of legal entity or other group or combination acting as a unit.

22 5. "Accident" or "incident" means the incident that is the subject of Plaintiffs  
23 complaint.

24 6. "Complaint" means Plaintiffs Complaint on file in the herein action.

25 7. "Commercial activity" means any work or services performed in pursuit of a  
26 business enterprise or in an effort to generate revenue or income.

1 **INTERROGATORIES**

2 **INTERROGATORY NO. 1:** Identify yourself, including in your answer the following:

- 3 a. your full name, age, date and place of birth, and social security number;
- 4 b. any other name(s) you have used, where and when you used the name(s),
- 5 including dates of use;
- 6 c. the name, title, occupation, address and telephone number of each person
- 7 who prepared, or assisted in the preparation of, your responses to the herein interrogatories.

8 **ANSWER:**

9 **Objections:** First, Interrogatory No. 1, subpart (a) as it relates to date of birth and

10 Social Security number; and subpart (b) as it relates to where and when defendant may

11 have used other names, including dates of use, are not reasonably calculated to lead to the

12 discovery of admissible evidence. Second, defendant's birth date and Social Security

13 number are highly sensitive and should not be compelled to be disclosed in light of the

14 potential for abuse by third persons. Third, the request that defendant state "where and

15 when" she has used other names, including dates of use, is unduly burdensome or

16 expensive, taking into account the needs of the case, the amount in controversy, limitations

17 on the parties resources, and the importance of the issues at stake in the litigation.

- 18 a. Hsiao-Ling Natacha Sesko; aged (b) ; place of birth Taipei, Taiwan.
- 19 b. Natacha Sesko; Hsiao-Ling Sesko.
- 20 c. Natacha Sesko, (b) (6) , Bremerton, Washington 98312. Ms. Sesko
- 21 can be reached through counsel.

22 **INTERROGATORY NO. 2:** Where do you reside? Include in your answer the

23 following:

- 24 a. your present residence address and the period during which you have
- 25 resided there;
- 26
- 27

1           b.       all other addresses at which you have resided during the past ten years and  
2 the dates at each address.

3       ANSWER:

4       a.       (b) (6)           Bremerton, Washington 98312, since February 1974.

5       b.       (b) (6)           , Bremerton, Washington 98310; (b) (6)           .,  
6 Bremerton, Washington 98312.

7       INTERROGATORY NO. 3: Do you have any items of personal property, including but  
8 not limited to vehicles, machines, appliances, boats, lumber, scrap metal, barrels, or toxic  
9 chemicals, located on the property at (b)           , Bremerton, Washington? If so, please  
10 identify each item of personal property.

11       ANSWER:

12       **Objection:** The request that defendant “identify each item of personal property” is  
13 unduly burdensome or expensive, taking into account the needs of the case, the amount in  
14 controversy, limitations on the parties resources, and the importance of the issues at stake  
15 in the litigation. The request is, moreover, not reasonably calculated to lead to the  
16 discovery of admissible evidence, particularly as to items of personal property located  
17 within Ms. Sesko’s residence, the dance hall, and outbuildings/structures that are not  
18 subject to the 1997 abatement orders as modified.

19       Subject to this objection, defendant answers that most of the personal property located on  
20 the property (excluding Ms. Sesko’s residence, the dance hall, and outbuildings/structures not  
21 subject to the 1997 abatement orders) became the property of Buckley Recycling pursuant to the  
22 abatement contract entered into between the City and Buckley. Buckley failed to complete the  
23 contract. Upon appropriate notice, defendant will allow access to the property so that this  
24 material can be removed.

25       REQUEST FOR PRODUCTION NO. 1: For each item of personal property identified in  
26 the preceding interrogatory, produce the following:  
27

- 1 a. all documents that indicate the ownership interests in the item,  
2 b. all documents that indicate the fair market value of the item,  
3 c. the bill of sale for each item,  
4 d. photographs or other documents that could be used to identify each item.

5 RESPONSE:

6 **Objection: See objection to Interrogatory No. 3.**

7 INTERROGATORY NO. 4: Do you own any real property? If so, for each parcel of  
8 real property state:

- 9 a. the address and tax parcel number of each parcel of real property you own;  
10 b. the nature of your ownership interest (i.e. partnership, member of LI,C,  
11 tenant in common) in each parcel of property;  
12 c. the type or character of the property (i.e. residential, commercial, rental,  
13 undeveloped);  
14 d. the date you acquired each parcel of real property;  
15 e. the identity of anyone else with ownership interest in each parcel of real  
16 property;  
17 f. the identity of all occupants (i.e. residents, tenants, guests) of each parcel  
18 of real property.

1        ANSWER:

2        **Objection: The request is not reasonably calculated to lead to the discovery of**  
3 **admissible evidence. This action involves an alleged nuisance at 3536 Arsenal Way.**  
4 **Information about any other property Ms. Sesko may own is irrelevant to that issue.**

5        Subject to this objection, defendant answers with respect to the property that is the  
6 subject of this action as follows:

7        a.        (b) (6), Bremerton, Washington, which is the address used for three  
8 parcels: Tax Parcel No. 222401-2-104-2002 (the "Dance Hall"); 222401-2-103-2003 (the  
9 "House"); 222401-105-2001 (the "Back Lot").

10       b.       Fee simple in Natacha Sesko.

11       c.       The property is zoned for commercial use.

12       d.       Defendant and/or her now deceased husband, William Sesko, have owned this  
13 property at all times material to this action.

14       e.       None.

15       f.       Natacha Sesko.

16       INTERROGATORY NO. 5: Since February 2, 1995, has any commercial activity taken  
17 place on the real property located at (b) (6), Bremerton, Washington? If so, identify  
18 the commercial activity, including in your answer the following:

19           a.       the nature of each commercial activity;

20           b.       the persons, companies and entities engaged in each commercial activity;

21           c.       the revenue and income generated from the commercial activity.

1        ANSWER:

2        **Objection:** The request is not reasonably calculated to lead to the discovery of  
3        admissible evidence. The request is also unduly burdensome or expensive, taking into  
4        account the needs of the case, the amount in controversy, limitations on the parties  
5        resources, and the importance of the issues at stake in the litigation.

6        Subject to these objections, Ms. Sesko answers that yes, commercial activity has occurred  
7        on the property. The Seskos have had a City of Bremerton business license since at least 1995  
8        and the property is zoned for commercial use. Uses since 1995, the property has periodically  
9        been used as a dance hall; as a parking lot for the U.S. Navy; as a bingo hall for a retired citizens  
10       organization; classes for dog training; a wrestling match; a beauty contest; church services;  
11       dance competition training; kung-fu classes; Chinese art classes; Chinese dance classes; Chinese  
12       language classes; work relating to the Chinese Cultural Arts Festival at the Seattle Center and at  
13       various other Western Washington locations; and the like. Some of these activities are not  
14       strictly commercial. The City of Bremerton's enforcement activities against the property have  
15       precluded any significant commercial use for the better part of a decade. Ms. Sesko's husband  
16       managed this property. As Mr. Sesko is now dead, most of the information that might otherwise  
17       be responsive to this interrogatory is now lost to time.

18       REQUEST FOR PRODUCTION NO. 2: Please produce all documents related to any  
19       commercial activity conducted on the property located at (b) (6) , Bremerton,  
20       Washington since February 2, 1995, including but not limited to business licenses, permits, bills  
21       of sale, bills of lading, invoices, contracts, tax returns.

22       RESPONSE:

23       **Objection:** *See objection to Interrogatory No. 5.*  
24  
25  
26  
27

STATE OF WASHINGTON                    )  
  ) ss.  
COUNTY OF                                )

I am the defendant in the above-identified matter. I have read the foregoing responses to PLAINTIFF'S FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION TO DEFENDANT, know the contents thereof and believe the same to be true.

SUBSCRIBED AND SWORN to before me this            day of            , 2009.

## CERTIFICATION

DATED this 27<sup>th</sup> day of February, 2009.

**Davis Wright Tremaine LLP**  
LAW OFFICES  
Suite 2200 • 1201 Third Avenue  
Seattle, Washington 98101-3045  
(206) 622-3150 • Fax: (206) 757-7700



1 Requests dated this 9th day of January, 2009.

2 ROGER A. LUBOVICH  
3 Bremerton City Attorney

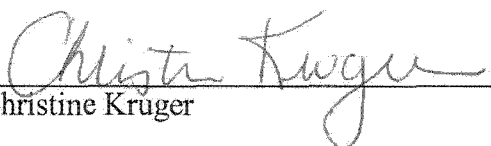
4 By: /s/  
5 Mark E. Koontz, WSBA #26212  
6 Attorney for Plaintiff  
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CERTIFICATE OF SERVICE

The undersigned hereby certifies and declare under penalty of perjury under the laws of the State of Washington that on this 27th day of February 2009, I served the foregoing document, via email and first class mail, upon counsel of record at the following address:

Mark E. Koontz  
Bremerton City Attorney  
345 6th Street, Suite 600  
Bremerton, WA 98337  
[mark.koontz@ci.bremerton.wa.us](mailto:mark.koontz@ci.bremerton.wa.us)

Executed this 27th day of February 2009, at Seattle, Washington.

  
Christine Kruger